



Will,

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To	Will Aschack	
From	Sharon	
Cy	Suzanne Brunkin	
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Attached is the schedule of  
payment dates -

Sharon

Seth Borden, Esq.  
 Kreitzman, Mortensen, Simon & Irgang

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July 13, 2006

Bargaining Agreement dated October 1, 2003 ("CBA") with Teamsters Local 445 Union, the Funds are authorized to assess a ten percent (10%) late charge against WSI's untimely remitted contributions. Specifically, Section 14 of the Restated Trust Agreement states, *inter alia*, that the Pension Fund "shall have the power to require any employer who does not make proper and timely contributions as required by its Collective Bargaining Agreement to pay . . . the amount of interest at the rate of 10% on unpaid contributions . . ." In addition, Article 23 of the CBA states, *inter alia*, that WSI "agrees to be bound by the terms and provisions of the [Restated Trust] Agreement . . . and become a party thereto." With respect to the Education and Training Fund, Schedule B of the CBA, states, *inter alia*, that in "the event of failure of [WSI] to make contributions [to the Education and Training Fund, WSI] shall be responsible for . . . a ten percent (10%) late penalty charge . . . on the amount of unpaid contributions due." Finally, the CBA requires WSI to remit pension contributions by "the 15th day of the month following the calendar month for which contributions are payable" and education and training contributions by "the 15th day of the following month for the preceding month." Even though Mr. Hernandez's notices to WSI stated, *inter alia*, that WSI's contributions "are due by the 10th of month," we need not reconcile this discrepancy, because WSI remitted contributions to the Funds for July 2005 through April 2006 well after the 15th day of the month when due. Indeed, WSI was no less than one calendar month late in remitting such contributions. Please note that as of the date of this letter WSI has not remitted its May 2006 contributions to the Funds, and, as a result, such contributions are now overdue. A late charge shall be assessed against WSI's May 2006 overdue contributions.

Accordingly, based on an internal audit, WSI owes late charges for untimely remitted contributions to the Funds for July 2005 through April 2006 in the amount of: \$ 14,235.13. Thus, consider the following:

**Late Charges Assessed Against Late Contribution Payments**

Date	Contribution Payment Due	Contribution Payment Received	10% Late Charge	
			Pension	Educ./Training
Jul 2005	Aug 10, 2005	Sep 19, 2005	\$ 1,138.26	\$ 206.96
Aug 2005	Sept 10, 2005	Oct 28, 2005	\$ 890.62	\$ 161.93
Sept 2005	Oct 10, 2005	Nov 29, 2005	\$ 1,538.29	\$ 279.69
Oct 2005	Nov 10, 2005	Dec 22, 2005	\$ 1,001.23	\$ 143.03
Nov 2005	Dec 10, 2005	Feb 8, 2006	\$ 1,271.21	\$ 181.60
Dec 2005	Jan 10, 2006	Mar 8, 2006	\$ 1,356.02	\$ 193.71
Jan 2006	Feb 10, 2006	Mar 29, 2006	\$ 1,183.08	\$ 169.01

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July 13, 2006  
 10% late chrg.

Date	Contribution Payment Due	Contribution Payment Received	Pension	Eduo. Training
Feb 2006	Mar 10, 2006	May 1, 2006	\$ 1,261.69	\$ 180.24
Mar 2006	Apr 10, 2006	May 31, 2006	\$ 1,408.91	\$ 201.27
Apr 2006	May 10, 2006	Jun 30, 2006	\$ 1,284.84	\$ 183.54
May 2006	June 10, 2006	Aug 17, 2006	1,188.30	169.76
June 2006	July 10, 2006	Aug 25, 2006	1,184.05	169.15
July 2006	Aug 10, 2006	Sept 20, 2006	1,205.07	172.76